

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

2013 FEB 25 PM 2:22

CLERK *B. W. A.*
SO. DIST. OF GA.

UNITED STATES OF AMERICA)

v.)

DESMOND ROOSEVELT MUNION)

INDICTMENT NO. CR609-00028-002

ORDER

Before the Court is a Motion for Reconsideration Reduction under 18 U.S.C. § 3742(e). On February 2, 2010, Munion was sentenced to a term of 60 months confinement. Munion asserts in his motion that he is entitled to a reduction in his sentence due to post-sentencing rehabilitative conduct. "The authority of a district court to modify an imprisonment sentence is narrowly limited by statute." United States v. Phillips, 597 F.3d 1190, 1194-95 (11th Cir. 2010); see also 18 U.S.C. § 3582(c). None of the statutory provisions apply to Munion; the Bureau of Prisons has not filed a motion asking for a reduction due to Munion's age and circumstances, see id. § 3582(c)(1)(A); the government has not filed a Rule 35 motion, see id. § 3582(c)(1)(B); and Munion's advisory guideline range has not been lowered by a retroactive amendment, see id. § 3582(c)(2). Finally, the 14-day time limit for any correction of the sentence due to the "arithmetical, technical, or other clear error," has also passed. Fed. R. Crim. P. 35(a).

Accordingly, Defendant's Motion for Reconsideration Reduction is DENIED.

SO ORDERED, this 25 day of February, 2013.

B. Avant Edenfield
B. Avant Edenfield
United States District Judge
For the Southern District of Georgia